TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Albert Warren Miller legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1 A01 3B 3 (103.3 & 1A00.3B 3) to permit

a sideyard setback for proposed garage of 42 feet in lieu of the requir 4 56 feet

of the Zording Regulations of Baltimore County, to the Zording Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Setback requirement does not permit 24" x 26' garage to be added to side of existing house.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Ballimore County adopted pursuant to the Zoning Law For Baltimore County.

\_\_Allert\_Warren\_Miller Legal Owner Address 5415 Mt. Gilead Road Reisterstown, Md. 21.6 366 1050 Protestant's Attorney Petitioner's Attorney

\*ORDERED By The Zoning Commissioner of Baltimore County, this\_\_\_\_\_day

of January , 19780, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

\_\_\_\_day of March \_P\_\_\_M. Zoning Commissioner of Baltimore County,

205 wa

ALBERT WARREN MILL W/S Marshall Mill

173-A Grace Rd

RE: PETITION FOR VARIANCE W/S of Marshall Mill Rd., 1592' S of Grace Rd., 5th District

: BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

ALBERT WARREN MILLER, Petitioner : Case No. 80-173-A

ORDER TO ENTER APPEARANCE

::::::

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enfor my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman Deputy People's Counsel

Maryland 21136, Petitioner.

John W. Hessian, III People's Counsel for Baltimore County County Office Building Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 22nd day of February, 1980, a copy of the aforegoing Order was mailed to Mr. Albert Warren Miller, 5415 Mt. Gilead Road, Reisterstown,

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. Albert W. Miller 5415 Mt. Gilead Road Releterstown, Maryland 21136

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received and accepted for filing this

WILLIAM E. HAMMOND

Zoning Commissioner

Albert W. Miller Petitioner

Petitioner's Attorney

Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

000 Nicholas B. Commodari Chairman

MEMBERS Bureau of

Department of Traffic Engineering State Roads Commission Bureau of Fire Prevention

Health Department Project Planning Building Department Board of Education Industrial Development

Mr. Albert W. Miller 5415 Mt. Gilead Road Reisterstown, Maryland 21136

RE: Item No. 116

Petitioner - Albert W. Miller Variance Petition

Dear Mr. Miller:

The Zoning Plans Advisory Committee has reviewed the plans sub mitted with the above referenced petition and has made an on-site field inspection of the property. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Particular attention should be afforded the comments of the Health Department.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

> Very truly yours, NICHOLAS B. COMMODARI

Zoning Plans Advisory Committee

NBC/sf Enclosure



January 16, 1980

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #116 (1979-1980) Property Owner: Albert Warren Miller W/S Marshall Mill Rd. 1592' S. Grace Rd. Existing Zoning: RC 2 Proposed Zoning: Variance to permit a side setback of 42' in lieu of the required 50'. Acres: 1.0537 District: 5th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Baltimore County highway and utility improvements are not directly involved and are as required in conjunction with the development of "Buena Vista Estates", of which, this property comprises Lot 16 of "Plat One Buena Vista Estates", recorded E.H.K., Jr. 39, Folio 50.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 116 (1979-1980).

> Very truly yours, ELLSWORTH N. DIVER, P.E. Chief, Bureau of Engineering

END: EAM: FWR: SS

cc: J. Wimbley, H. Shalowitz

GG-NW Key Sheet 117 NW 38 Pos. Sheet NW 30 J Topo 14 Tax Map



February 15, 1980

Mr. William Hammond, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on #116, Zoning Advisory Committee Meeting, December 11, 1979, are as follows:

Property Owner: Albert Warren Miller Location: W/S Marshall Mill Road 1592' 3. Grace Road Existing Zoning: RC-2

Proposed Zoning: Variance to permit a side setback of 42' in lieu of the required 50'. Acres: 1.0537 District: 5th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

Project and Development Planning

department of traffic engineering TOWSON, MARYLAND 21204 STEPHEN E. COLLINS

February 12, 1980

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

This department has no comment for the following items: Numbers 110, 112, 114, 115, and 116.

> Very truly yours, Michael S. Flanigan

Eugineering Associate II

MSF/mjm

Pursuant to the advertisement, rosting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Ballimore County, this 17th day of March, 1980, that the herein Petition for Variance to permit a side yard setback of forty-two feet in lieu of the required fifty feet, for the  $\epsilon x$ pressed purpose of constructing an enclosed garage to be attached to the existing dwelling, in accordance with the site plan dated November 30, 1979, should be and the same is GRANTED, from and after the date of this Order, subject to the approgal of said site plan by the Department of Public Works and the Office of Planning and Zoning.

> Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of \_\_\_\_\_, 19\_\_\_, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204 BALTIMORE COUNTY
DEPARTMENT OF HEALTH DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

January 24, 1980

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #116, Zoning Advisory Committee Meeting of December 11, 1979, are as follows:

> Albert Warren Miller Property Owner: W/S Marshall Mill Rd. 1592' S Grace Rd. Location:

Existing Zoning: R.C. 2 Variance to permit a side setback of 42' Proposed Zoning:

in lieu of the required 50'.

Acres: District: 1.0537 5th

The dwelling, when completed, will be served by a private water well and sewage disposal system. The proposed garage will not interfere with the location of either the well or sewage disposal system. Prior to approval of occupancy, a water sample must be collected to verify the potability of the water supply. A vented, sealed well cap must be installed prior to occupancy. The existing well cap is not a sealed cap and therefore is not acceptable.

> Very truly yours, BUREAU OF ENVIRONMENTAL SERVICES

IJF/fth&

BALTIMORE COUNTY FIRE DEPARTIVENT TOWSON, MARYLAND 21204

PAUL H. REINCKE CHIEF

January 23, 1980

Mr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

Re: Property Owner: Albert Warren Miller

Location:

W/S Marshall Hill Road. 1592' S Grace Road

Item No:

Zoning Agenda: Meeting of 11/12/79

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be feet along an approved road in located at intervals or accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

February 14, 1980

Special Inspection Division

3/31/80

Mr. William E. Hammond Zoning Commissioner Room 109, County Office Building Towson, Maryland 21204

> RE: Case No. 30-173-A Building Permit Application

> > 5# Election District

Dear Mr. Hammond:

We, the undersigned, being the owner of the above mentioned property and the applicant for the above referenced building permit, do hereby acknowledge that we are fully aware of your Order being subject to a thirty (30) day appeal period, but wish to go ahead with the construction of improvements on the property prior to the expiration of said appeal period.

We hereby relieve our builder, Baltimore County Maryland and you from any liability or responsibility in this matter and agree to assume any and all financial responsibility for any consequences which might arise during the appeal period if an appeal is filed after construction has begun.

Very truly yours,

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WRITTEN DESCRIPTION

(Lot #16 Buena Vista Estates)

Located on the west side of Marshall Mill Road approximately 1592 feet south of Grace Road and known as lot #16. As shown on Plot of Buena Vista Estates, which is recorded in land records of Baltimore County in liber 39, folio 50 also known as #17917 Marshall Mill Road. BALLIMORE COUNTY, MARY ND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond Zoning Commissioner TO .... John D. Seyffen, Director Office of Planning and Zoning

Petition No. 80-173-A Item 116 SUBJECT....

> Petition for Variance for side yard setback West side of Marshall Mill Road, 1592 feet South of Grace Road Petitioner: Albert Warren Milier

Fifth District

HEARING: Tuesday, March 4, 1980 (1:30 P.M.)

There are no comprehensive planning factors requiring comment on this petition.

JDS:JGH:ab

PETITION MAPPING PROGRESS SHEET Wall Map Original Duplicate Tracing 200 Sheet date by date by date by **FUNCTION** Descriptions checked and outline plotted on map Petition number added to outline Denied Granted by ZC, BA, CC, CA Revised Plaus: Reviewed by: Change in outline or description\_\_\_Yes Previous case:

BALTIMORE	COUNTY	OFFICE	OF	PLANNING	&	ZONING	
County Office Building							

111 W. Chesapeak Towson, Maryland

ur Petition has been received this	<u>ゞ</u>	day of	1.3.20	·	<u>,</u> 1979. *
Filing Fee \$ 25	<del></del>	Received:		Check	



Petitioner Hilat rille

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William E. Hammond, Zoning Commissioner

Petitioner's Attorney Reviewed by \*This is not to be interpreted as acceptance of the Petition for assignment of a

JUL 22 1 50

DATE

Very truly yours, WILLIAM E. HAMMOND

RE: Petition for Variance

District

I have this date passed my Order in the above referenced matter in ac-

W/S of Marshall Mill Road, 15921

Albert Warren Miller - Petitioner

S of Grace Road - 5th Election

NO. 80-173-A (Item No. 116)

Zoning Commissioner

March 17, 1980

Mr. Albert Warren Miller

Reisterstown, Maryland 21136

5415 Mt. Gilead Road

Dear Mr. Miller:

WEH/srl

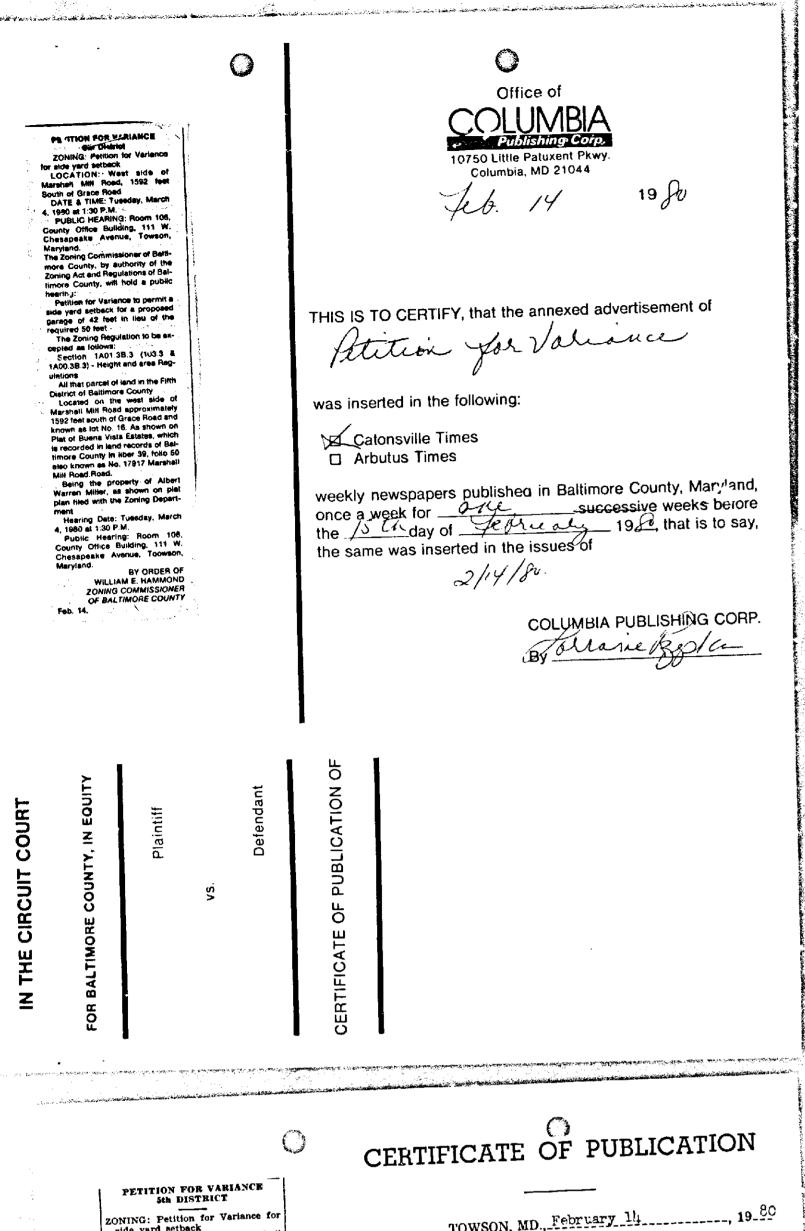
Attachments

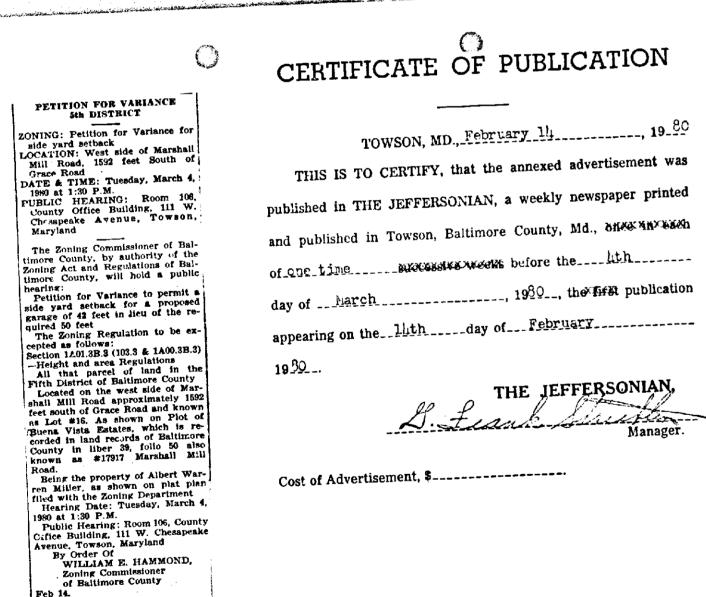
cordance with the attached.

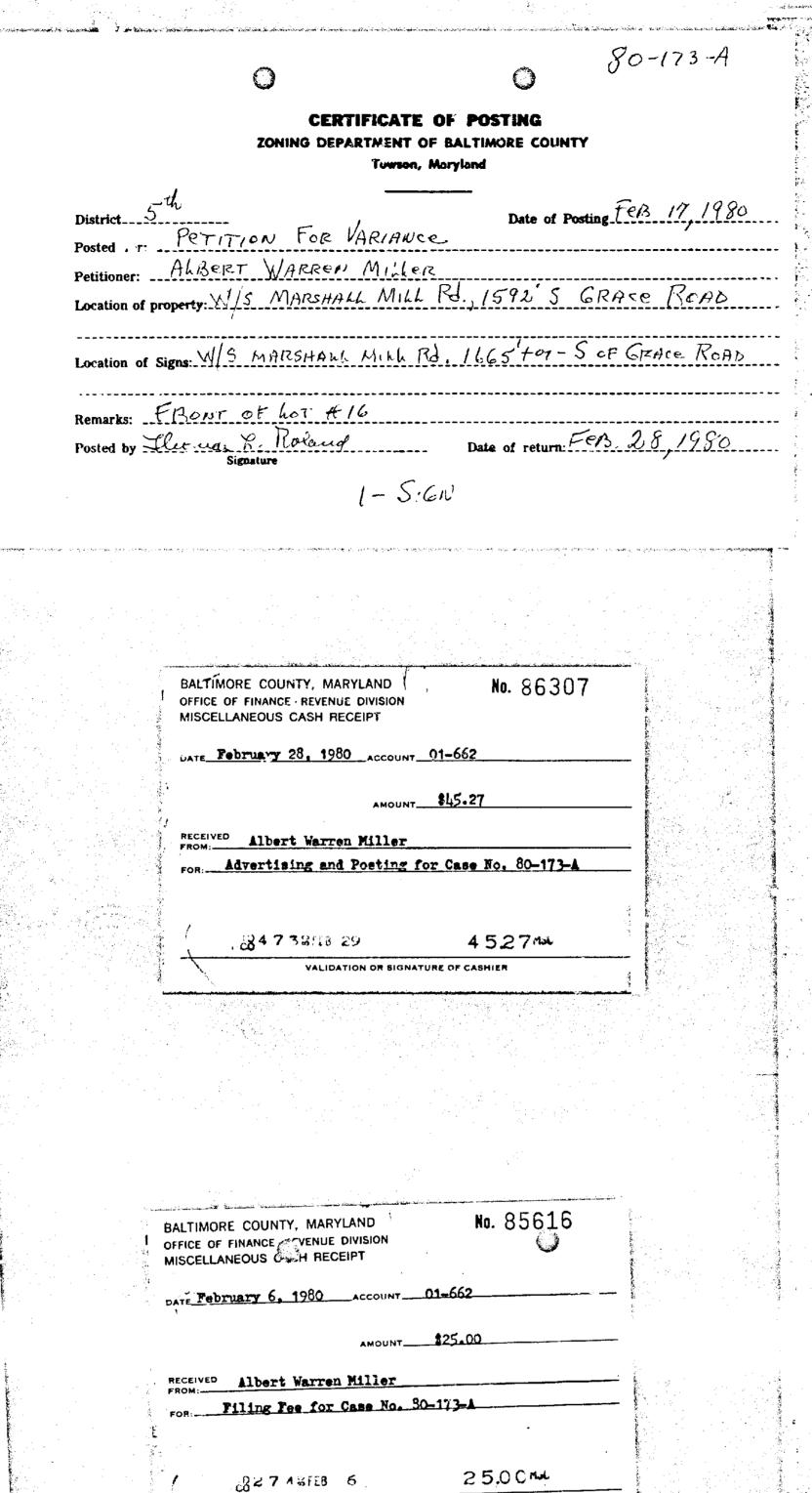
cc: John W. Hessian, III, Esquire

People's Counsel

e	ing Avenue 21204			
		<b>&gt;</b> -		

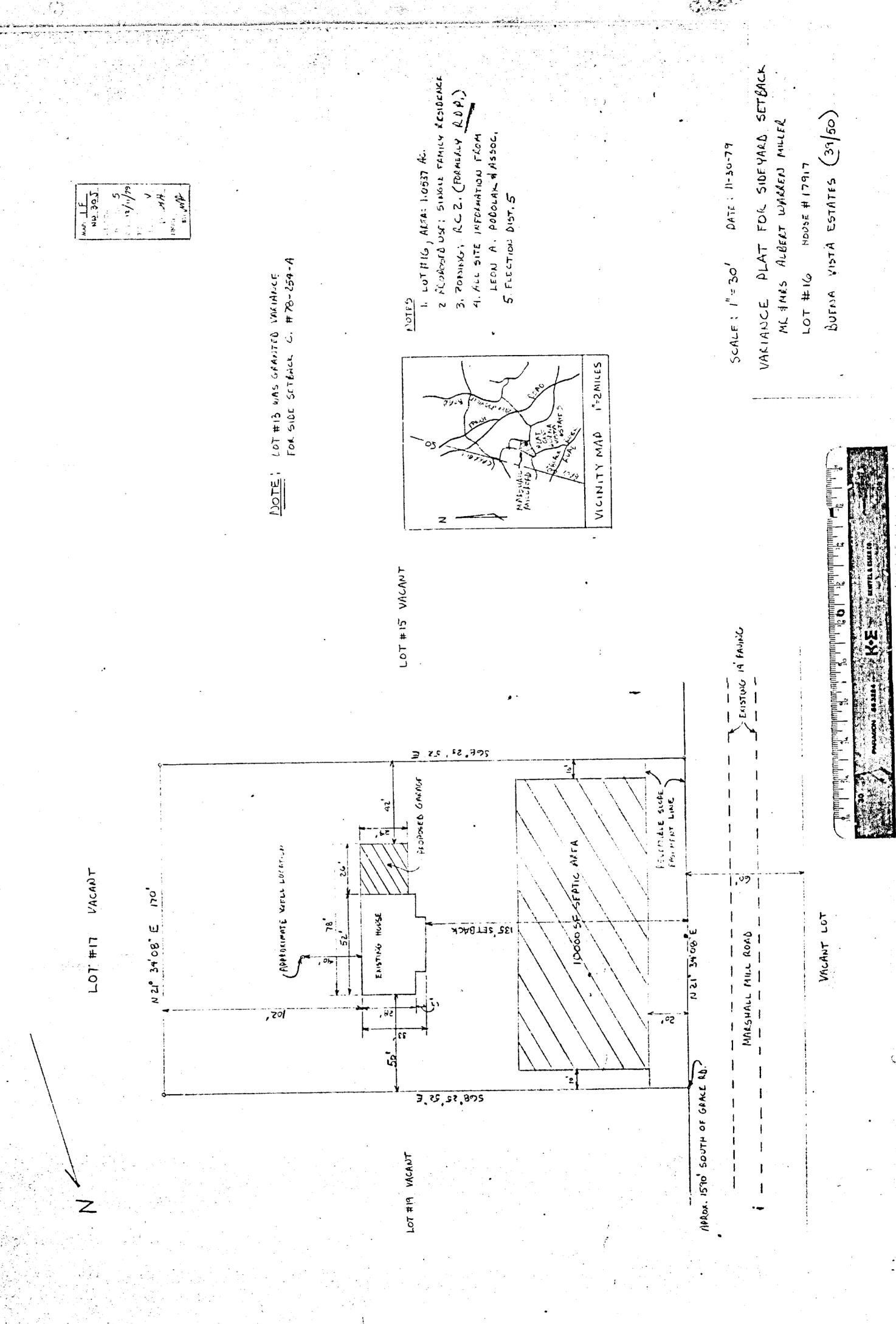






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VALIDATION OR SIGNATURE OF CASHIER



JUL 22 1930